

225176  
AB - 33(268X)

BEFORE THE SURFACE TRANSPORTATION BOARD

ENTERED  
Office of Proceedings

UNION PACIFIC RAILROAD COMPANY  
ABANDONMENT EXEMPTION IN MILWAUKEE COUNTY

MAY 28 2009

Part of  
Public Record

STATEMENT OF WILLINGNESS TO ACCEPT RESPONSIBILITY BY  
THE COUNTY OF MILWAUKEE, WISCONSIN  
PURSUANT TO 49 CFR 1152.29

In order to establish interim trail use and rail banking under 16 U.S.C. 1247(d) and 49 CFR 1152.29, the County of Milwaukee, Wisconsin (Interim Trail User) is willing to assume full responsibility for management of, for any legal liability arising out of the transfer or use of (unless the user is immune from liability, in which case it need only indemnify the railroad against any potential liability), and for the payment of any and all taxes that may be levied or assessed against the right-of-way owned by the Union Pacific Railroad Company (Railroad) and operated by the Union Pacific Railroad Company (Railroad). The property, known as The Capitol Drive Industrial Lead (Name of Branch Line), extends from railroad milepost 92.21, the Shoreline Connection, to milepost 89.13, south of Hampton Avenue, a distance of 3.08 miles in Milwaukee County, Wisconsin. The right-of-way is part of a line of railroad proposed for abandonment in Docket No. STB AB-33 (Sub-No. 268X).

A map of the property depicting the right-of-way is attached as EXHIBIT A.

Milwaukee County acknowledges that use of the right-of-way is subject to the user's continuing to meet its responsibilities described above and subject to possible future reconstruction and reactivation of the right-of-way for rail service. A copy of this statement is being served on the railroad, Union Pacific Railroad Company, on the same date it is being served on the Surface Transportation Board.

COUNTY OF MILWAUKEE, WISCONSIN

Represented By: Sue Black

Sue Black  
Director, Milwaukee County Department of Parks, Recreation & Culture

Date: May 11, 2009

# EXHIBIT A

